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November 30, 2005

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E MAIL
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Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: KAYU-TV, Spokane, Washington
MB Docket No. 05-317
TELEVISION STATION SECTION 339(a)(2)(D)(vii) WAIVER REQUEST

Dear Ms. Dortch:

Mountain Licenses, L.P., licensee of television broadcast station KAYU-TV, Spokane, Washington, by its attorneys and pursuant to the Federal Communications Commission's Public Notice, DA 05-2979, released November 17, 2005 ("Public Notice"), hereby requests a waiver to prohibit digital testing pursuant to the Satellite Home Viewer Extension and Reauthorization Act of 2004 (the "Act").

The Public Notice sets forth the criteria under Section 339(a)(2)(D)(viii) of the Act which must be met by stations requesting a waiver. As set forth below, Mountain satisfies two of these criteria.

First, Mountain satisfies criterion (I) -- "the need for international coordination or approvals." Mountain currently operates KAYU-TV on analog Channel 28 and on digital Channel 30. The KAYU transmission facilities are located close enough to the Canadian border to make KAYU-TV subject to international coordination. Indeed, KAYU-TV's current digital facilities on Channel 30 were the subject of Canadian review and coordination, which resulted in substantial delay in the application approval process. Because Mountain has elected to operate digitally on Channel 28 (current analog), not Channel 30, at the end of the transition, KAYU-TV will have to go through the international coordination process for digital Channel 28 before it can operate on that channel. KAYU-TV therefore squarely meets this waiver criterion, and a waiver is requested accordingly.

Second, Mountain satisfies criterion (IV) -- "the station experiences a substantial decrease in its digital signal coverage area due to the necessity of using a side-mounted antenna." Attached hereto is the Declaration of Ron Sweatte, KAYU-TV's Chief of Engineering, which makes clear that KAYU-TV's current digital facility operates with a side-mounted antenna,



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which in turn leads to a substantial decrease in KAYU-TV's digital signal coverage area.¹ KAYU-TV therefore also squarely meets this waiver criterion, and a waiver is requested accordingly.

Should there be any questions regarding this matter, please direct them to the undersigned.

Sincerely,

Dennis P. Corbett

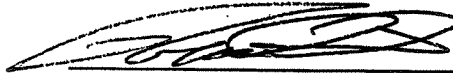
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Attachment
cc: Nazifa Sawez, FCC

¹ Should the Commission require any additional information concerning the impact of side-mounting on KAYU-TV's digital coverage, Mountain will provide it.

DECLARATION

Ron Sweatte hereby declares under penalty of perjury as follows:

1. I am Chief of Engineering for KAYU-TV, Spokane, Washington.
2. KAYU-TV's digital facilities presently operate with a side-mounted antenna at the 195 meter level of a 249 meter triangular tower structure with a 2.4 meter face. The antenna azimuth is 290 degrees. Viewing areas generally opposite of the antenna major lobe experience a substantial loss of signal due to the shielding or shadowing effects of the tower structure.



Ron Sweatte

11/29/2005

Date